IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JULY
TWO THOUSAND AND SIX

PRESENT
THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.15702 of 2006

Between:

Pallavarapu Vemaiah.

..... PETITIONER

AND

1.State Election Commission,
rep. by its Commissioner, and 2 others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.15702 of 2006

ORDER:

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of the third respondent in rejecting the nomination of the petitioner for the post of Ward Member as illegal, arbitrary and colorable exercise of powers and consequently direct the third respondent to receive

the nomination of the petitioner and permit him to contest in the ensuing Gram Panchayat Election, 2006, from Ward No.5 of Mohammada Puram Gram Panchayat, Podalakuiru Mandal, Nellore District.

Petitioner submitted his nomination to contest in the Gram Panchayat Election, 2006, for the post of Ward Member in Mohammadapuram Gram Panchayat. The main grievance of the petitioner is that his nomination was rejected by the third respondent on the ground that witness's signatures were not found on the declaration form.

It is needless to say that this is a disputed question of fact and the same cannot be gone into by this Court at this stage. The petitioner is having an efficacious alternative remedy by way of election petition. Liberty is given to the petitioner to approach the Election Tribunal, if he is so advised.

With the above observation, the Writ Petition is disposed of. No costs.

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31st July, 2006

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